

In the Supreme Court of the State of Idaho

IN RE: AMENDMENTS TO SECTIONS
OF THE IDAHO BAR COMMISSION
RULES (I.B.C.R.)

ORDER

The Board of Commissioners of the Idaho State Bar having presented proposed changes to the Idaho Bar Commission Rules (I.B.C.R.), and the Idaho Supreme Court having reviewed and approved the recommendations;

NOW, THEREFORE, IT IS HEREBY ORDERED, that the Idaho Bar Commission Rules (I.B.C.R.), as they appear in the Idaho State Bar Desk Book and on the Idaho State Bar website be, and they are hereby, amended as follows:

1. That Rule 206 of SECTION II be, and the same is hereby, amended as follows:

SECTION II HOUSE COUNSEL LICENSE

RULE 225. House Counsel License.

- (a) **Requirement.** Any attorney employed as set forth below is required to be actively licensed or licensed as house counsel.
- (b) **Qualifications.** A House Counsel Applicant must show to the satisfaction of the Board that the Applicant:
 - (1) Meets the qualifications for admission under Rule 202;
 - (2) Maintains an office for the practice of law limited to a house counsel practice within the state of Idaho on behalf of his or her employer;
 - (3) Is admitted to practice law before the highest court of a state or territory of the United States or the District of Columbia whose requirements for admission are commensurate with Idaho, including passing a qualifying bar examination for such admission;
 - (4) Is employed as house counsel by a company, association or other business entity whose business is not engaged in the selling or furnishing of legal advice or services to others;
 - (5) Is not currently suspended or disbarred in any state in which the Applicant is admitted; and
 - (6) Has submitted:

- (A) Proof of employment with the company, association or other business entity; or
(B) Confirmation of an offer of future employment with the company, association or other business entity, provided that the house counsel license shall not be effective until such employment commences.
- (c) **Time and Manner for Admission.** House Counsel Applicants shall be admitted as provided in Rule 220.
- (d) **Scope of Practice.** Except as provided under subsection (e), ~~The~~ professional activities of house counsel are limited to providing internal counseling and practicing law within the employment setting exclusively for a qualifying employer and its commonly owned organizational affiliates. House counsel shall not:
- (1) Appear before a court or administrative tribunal as an attorney or counselor in the state of Idaho for anyone, including the employing business entity; or
 - (2) Claim, represent to be authorized to or offer legal services or advice to the public.
- (e) Pro Bono Service. A person licensed as house counsel may perform pro bono service in association with an Approved Legal Assistance Organization approved by the Idaho Supreme Court under Rule 228(c)(1).
- (e)(f) Cessation of Activity as House Counsel. A house counsel shall not perform any services under this rule and shall not hold himself or herself out as house counsel:
- (1) Upon termination of employment with the company, association or other business entity identified pursuant to subsection (b)(6) above; or
 - (2) Upon failure to meet annual licensing requirements as provided in I.B.C.R. 302(a).
- ~~(f)~~ (g) **Notice of Termination.** A house counsel license shall be terminated upon notice of termination of employment with the company, association or other business entity.

IT IS FURTHER ORDERED that the amendments shall be effective the 1st day of July, 2015.

IT IS FURTHER ORDERED, that the above designation of the striking of words from the Rules by lining through them, and the designation of the addition of new portions of the Rules by underlining such new portion is for the purposes of information only as amended, and NO OTHER AMENDMENTS ARE INTENDED. The lining through and underlining shall not be considered a part of the permanent Rules.

DATED this 6 day of March, 2015.

I, Stephen W. Kenyon, Clerk of the Supreme Court of the State of Idaho, do hereby certify that the above is a true and correct copy of the Order entered in the above entitled cause and now on record in my office.
WITNESS my hand and the Seal of this Court _____

ATTEST:

Stephen Kenyon
Clerk

By: Kimber Grove Deputy

By Order of the Supreme Court

R. Burdick
Roger S. Burdick, Chief Justice